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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,212	07/15/2003	Thomas L. Merrill		8748

7590 11/16/2005
Thomas L. Merrill
25 Lynnfield Dr.
E. Windsor, NJ 08520

EXAMINER

MENDEZ, MANUEL A

ART UNIT PAPER NUMBER

3763

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO. <i>e</i>
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10-620212

EXAMINER

ART UNIT	PAPER
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11142005

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please refer to the document attached to this cover sheet.


Manuel Mendez
Primary Examiner
Art Unit: 3763

Response to Amendment

The reply filed on May 26, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The examiner of record acknowledges receipt of the response to the restriction requirement. Claims 14-31 will be examine on their merits. The examiner respectfully requests clarification as to why claims 14-31 are patentable over the references (prior art) used in the first office action. This request arrives from the fact that the examiner noticed that the response of May 26, 2005 does not properly address the differences between the prior art used in the first action and the language of claims 14-31. For example, on page 10 of the Remarks, applicant indicates:

“Finally, Taheri does not disclose 1) a feature that enables catheter outer diameter size reduction, 2) a means to ensure all heat exchange surfaces are aligned inside a blood vessel, 3) a method to infuse working fluid, or 4) a method to carry simultaneous heat and mass transfer through a single exchange surface. In summary, Taheri fails to disclose each of the limitations of new claims 14-43”.

The language of claim 14 does not disclose 1) a feature that enables catheter outer diameter size reduction, and 2) a means to ensure all heat exchange surfaces are aligned inside a blood vessel. Accordingly, the examiner requests clarification as to the

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patentability of claims 14-31 in view of the prior art used in the last office action. . See
37 CFR 1.111.

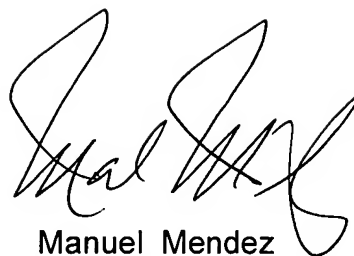
Since the above-mentioned reply appears to be *bona fide*, applicant is given
ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever
is longer, within which to supply the omission or correction in order to avoid
abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER
37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Manuel Mendez whose telephone number is 703-272-
4977. The examiner can normally be reached on 0730-1800 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Mr. Nicholas D. Lucchesi can be reached on 571-272-4977. The fax phone
number for the organization where this application or proceeding is assigned is 571-
273-8300.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 3763

A handwritten signature in black ink, appearing to read 'Manuel Mendez', with a stylized, cursive script.

Manuel Mendez
Primary Examiner
Art Unit 3763

MM